

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OHIO**

REVOLAZE, LLC,

Plaintiff,

v.

BUFFALO INTERNATIONAL ULC,
and
1724982 ALBERTA ULC,d/b/a
BUFFALO DAVID BITTON

Defendants.

Civil Action No. _____

COMPLAINT AND JURY DEMAND

1. Plaintiff RevoLaze LLC (“Plaintiff” or “RevoLaze”), for its Complaint against Defendants Buffalo International ULC and 1724982 Alberta ULC (collectively “Defendants” or “Buffalo”), herein alleges as follows:

THE PARTIES

2. RevoLaze is a Delaware limited liability company with its principal place of business at 29300 Clemens Road, Westlake, Ohio 44145. RevoLaze is an operating company and a developer of laser scribing technology to impart graphics and patterns on a myriad of substrates to solve current environmental, quality and cost problems associated with manufacturing and decorating garments and textiles.

3. Upon information and belief, Defendants sell products, including denim jeans, under the brand name Buffalo David Bitton.

4. Upon information and belief, Buffalo International ULC is a Quebec unlimited liability corporation having a business address at 400 Sauve West, Montreal, Quebec H3L1Z8, Canada.

5. Upon information and belief, 1724982 Alberta ULC is a Quebec unlimited liability corporation having a business address at 400 Sauve West, Montreal, Quebec H3L1Z8, Canada.

JURISDICTION AND VENUE

6. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. Accordingly, this Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b)(2) in that a substantial part of the events giving rise to the patent infringement claims herein have taken place and are still taking place in this judicial district.

8. The Court has personal jurisdiction over Buffalo because Buffalo is engaged in substantial and not isolated activities within this state and district, including providing, using, offering for sale, and selling its infringing product to and within this state and district at least through its website, www.buffalojeans.com. Due to these infringing activities, Plaintiff has suffered injury in this judicial district.

PLAINTIFF'S PATENTS

9. On November 23, 1999, the United States Patent and Trademark Office duly issued United States Patent No. 5,990,444 ("the '444 Patent"), entitled "Laser Method and System of Scribing Graphics." A true and correct copy of the '444 Patent is attached hereto as Exhibit A. RevoLaze is the owner of the '444 Patent by assignment.

10. On October 31, 2000, the United States Patent and Trademark Office duly issued United States Patent No. 6,140,602 (“the ‘602 Patent”), entitled “Marking of Fabrics and Other Materials Using a Laser.” A true and correct copy of the ‘602 Patent is attached hereto as Exhibit B. RevoLaze is the owner of the ‘602 Patent by assignment.

11. On June 26, 2001, the United States Patent and Trademark Office duly issued United States Patent No. 6,252,196 (“the ‘196 Patent”), entitled “Laser Method of Scribing Graphics.” A true and correct copy of the ‘196 Patent is attached hereto as Exhibit C. RevoLaze is the owner of the ‘196 Patent by assignment.

12. On December 16, 2003, the United States Patent and Trademark Office duly issued United States Patent No. 6,664,505 (“the ‘505 Patent”), entitled “Laser Processing of Materials Using Mathematical Tools.” A true and correct copy of the ‘505 Patent is attached hereto as Exhibit D. RevoLaze is the owner of the ‘505 Patent by assignment.

13. On November 16, 2004, the United States Patent and Trademark Office duly issued United States Patent No. 6,819,972 (“the ‘972 Patent”), entitled “Material Surface Processing With a Laser That Has a Scan Modulated Effective Power to Achieve Multiple Worn Looks.” A true and correct copy of the ‘972 Patent is attached hereto as Exhibit E. RevoLaze is the owner of the ‘972 Patent by assignment.

14. On February 22, 2005, the United States Patent and Trademark Office duly issued United States Patent No. 6,858,815 (“the ‘815 Patent”), entitled “Denim Designs From Laser Scribing.” A true and correct copy of the ‘815 Patent is attached hereto as Exhibit F. RevoLaze is the owner of the ‘815 Patent by assignment.

COUNT I — INFRINGEMENT OF THE ‘444 PATENT

15. RevoLaze restates and incorporates by reference paragraphs 1 through 14 as if fully stated herein.

16. Buffalo has infringed and is still infringing the ‘444 Patent by making, selling, offering for sale, importing and/or using denim garments that embody the patented invention including the Buffalo Driven-X (Item No. BM16324) (“Buffalo Product”), and Buffalo will continue to do so unless enjoined by this Court.

17. As a direct and proximate result of Buffalo’s direct infringement of the ‘444 Patent, RevoLaze is suffering damages and irreparable injury for which it has no adequate remedy at law.

COUNT II — INFRINGEMENT OF THE ‘602 PATENT

18. RevoLaze restates and incorporates by reference paragraphs 1 through 17 as if fully stated herein.

19. Buffalo has infringed and is still infringing the ‘602 Patent by making, selling, offering for sale, importing and/or using denim garments that embody the patented invention including the Buffalo Product, and Buffalo will continue to do so unless enjoined by this Court.

20. As a direct and proximate result of Buffalo’s direct infringement of the ‘602 Patent, RevoLaze is suffering damages and irreparable injury for which it has no adequate remedy at law.

COUNT III — INFRINGEMENT OF THE ‘196 PATENT

21. RevoLaze restates and incorporates by reference paragraphs 1 through 20 as if fully stated herein.

22. Buffalo has infringed and is still infringing the '196 Patent by making, selling, offering for sale, importing and/or using denim garments that embody the patented invention including the Buffalo Product, and Buffalo will continue to do so unless enjoined by this Court.

23. As a direct and proximate result of Buffalo's direct infringement of the '196 patent, RevoLaze is suffering damages and irreparable injury for which it has no adequate remedy at law.

COUNT IV — INFRINGEMENT OF THE '505 PATENT

24. RevoLaze restates and incorporates by reference paragraphs 1 through 23 as if fully stated herein.

25. Buffalo has infringed and is still infringing the '505 Patent by making, selling, offering for sale, importing and/or using denim garments that embody the patented invention including the Buffalo Product, and Buffalo will continue to do so unless enjoined by this Court.

26. As a direct and proximate result of Buffalo's direct infringement of the '505 Patent, RevoLaze is suffering damages and irreparable injury for which it has no adequate remedy at law.

COUNT V — INFRINGEMENT OF THE '972 PATENT

27. RevoLaze restates and incorporates by reference paragraphs 1 through 26 as if fully stated herein.

28. Buffalo has infringed and is still infringing the '972 Patent by making, selling, offering for sale, importing and/or using denim garments that embody the patented invention including the Buffalo Product, and Buffalo will continue to do so unless enjoined by this Court.

29. As a direct and proximate result of Buffalo's direct infringement of the '972 Patent, RevoLaze is suffering damages and irreparable injury for which it has no adequate remedy at law.

COUNT VI — INFRINGEMENT OF THE '815 PATENT

30. RevoLaze restates and incorporates by reference paragraphs 1 through 29 as if fully stated herein.

31. Buffalo has infringed and is still infringing the '815 Patent by making, selling, offering for sale, importing and/or using denim garments that embody the patented invention including the Buffalo Product, and Buffalo will continue to do so unless enjoined by this Court.

32. As a direct and proximate result of Buffalo's direct infringement of the '815 Patent, RevoLaze is suffering damages and irreparable injury for which it has no adequate remedy at law.

JURY DEMAND

33. Plaintiff hereby demands a jury trial on all issues triable to the jury.

WHEREFORE, Plaintiff demands:

- (a) judgment that Defendants have infringed each of the asserted patents;
- (b) permanent injunctive relief prohibiting further infringement of the asserted patents;
- (c) damages for Defendants' infringements;
- (d) prejudgment interest on the damages;
- (e) costs for this lawsuit; and
- (f) any other relief that the Court may deem just and proper.

Dated: August 15, 2014

s/ Stephen H. Rovak

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